

LEVIN-EPSTEIN & ASSOCIATES, P.C.

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March 6, 2020

Via Electronic Filing

The Honorable Judge Analisa Torres
U.S. District Court Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Hyman v. Fabbri*
Case No.: 1:19-cv-10506

The requested withdrawal of representation is GRANTED.

The Clerk of Court is respectfully directed to update the docket and to close the Letter-Motions at ECF Nos. 64 and 65.

SO ORDERED

3/9/2020


SARAH L. CAVE
United States Magistrate Judge

Dear Honorable Judge Torres:

This law firm represents defendants Andrew Fabbri and Jessica Cohen (together, the “**Defendants**”) in the above-referenced action.

Pursuant to Rule III(A) of Your Honor’s Individual Motion Practices and Southern District Local Civil Rule 1.4, this letter serves an application to withdraw as counsel on the basis that Defendants are currently represented in this proceeding by two other law firms, the Kasell Law Firm and Khan Johnson LLC, respectively, and this law firm’s engagement has been terminated.

The withdrawal of the undersigned will not impact the case schedule in this matter as the Defendants are currently represented by two other law firms, including the same firm that initiated this case, the Kasell Law Firm. The Kasell Law Firm also represented the Defendants in a similar case before this Court, *The Phoenix Insurance Company et al. v. Fabbri et al.*, Case No: 17-cv-08749.

By way of background, attorney David Kasell removed the instant case on November 13, 2019. [Dckt. No. 1]. On February 17, 2020, attorney Kasell petitioned the Court for an adjournment of the Initial Case Conference and the Show Cause Hearing on the grounds that he had “caught the flu and this illness triggered a full-blown relapse of [his] multiple sclerosis.” [Dckt No. 51]. By Order dated February 18, 2020, the Court adjourned the Show Cause Hearing and the Initial Case Conference to March 3, 2020. [Dckt. No. 53]. The Court instructed that:

No further extensions will be granted absent compelling circumstances.
Defendants’ new attorneys shall file notices of appearance by February 26, 2020.

[Dckt. No. 53]. On February 26, 2020, the undersigned entered an appearance. [Dckt. No. 57]. Thus, the undersigned law firm has only been counsel of record in this case for approximately two weeks.

On March 3, 2020, Khan Johnson LLC entered its appearance for the Defendants. [Dckt. No. 53].

As to other requirement set forth in Southern District Local Civil Rule 1.4, the undersigned is not maintaining a lien.

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Thank you, in advance, for your time and attention.

Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Joshua Levin Epstein

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